

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
NEW ALBANY DIVISION

TYLER TECHNOLOGIES, INC.,

Plaintiff

v.

CASE NO.: 4:20-cv-00173-TWP-DML

LEXUR ENTERPRISES INC., ROBERT FRY,
JIMMY DAVIS, JOE THORNSBERRY, and
JOHN DOES 1-100s,

Defendants

DEFENDANT, JIMMY DAVIS', PRELIMINARY WITNESS AND EXHIBIT LIST

Jimmy Davis, by counsel, hereby submits his Preliminary Witness and Exhibit List as required by the Court's Case Management Order. Davis reserves the right to supplement this list as discovery has just begun and additional witness, documents and things, and theories may develop during the discovery process. In addition, Defendant expressly reserves the right to not call any listed witnesses and not offer into evidence any listed exhibits.

PRELIMINARY WITNESS LIST

1. Marvin Mark Folkerts,
2. Cathi Gould,
3. Troy Fryman,
4. Brett Bombick,
5. Bill Birkle,
6. Shane Thornsberry,
7. William White,
8. Josh Bushhorn,

9. Lekisha Robbins,
10. Brieanne Fleming,
11. Cory Dawson,
12. Jon Lawson,
13. Blane Bowlin,
14. Scott Potts,
15. Sam Monroe,
16. Aaron Shelhammer,
17. Jennifer Cantrell,
18. Bev Gaiter,
19. Patricia Badger-Byrd,
20. Tina Gleeson,
21. Joan Armstrong,
22. Katie Kaufman,
23. Shawna Bushhorn,
24. Karen Mannix,
25. Stacey Matthews,
26. James Sinks,
27. Megan Acra,
28. Jim Davis,
29. Robert Fry,
30. Witnesses necessary as foundation for exhibits
31. Witnesses necessary for impeachment or rebuttal

31. Witnesses listed by Plaintiff or any other party.
32. Witnesses listed in any discovery response, deposition, pleading or other filing in the case
33. Any expert disclosed by the Defendant or any other party to this matter.

PRELIMINARY EXHIBIT LIST

1. Previous Requests for Bids from the Counties listed in the Complaint prior to 2020
2. Previous Notices to Bidders from the Counties listed in the Complaint prior to 2020
3. Requests for Bids from the Counties listed in the Complaint for 2020
4. Notices to Bidders from the Counties listed in the Complaint for 2020
5. The cyclical reassessment contracts for the Counties listed in the Complaint.
6. Documents pertaining to the Counties listed in the Complaint terminating their Contracts with Tyler
7. Documents produced in response to APRA/FOIA requests filed by Tyler Technologies
8. Documents from the Department of Local Government Finance relative to the TylerTechnologies and Lexur.
9. Documents relating to Tyler Technologies bid protest in 2020 relative to the Counties at issue.
10. Written communications between the parties, specifically Tyler, Thornsberry, Fry, Lexur and Davis,

11. Any pleading filed or to be filed in this matter
12. Any deposition taken or to be taken, and exhibits thereto
13. Any document attached to any dispositive motion filed or to be filed in this matter
14. Any document produced during discovery
15. Any document concerning Plaintiff's alleged damages
16. Any document for impeachment or rebuttal purposes
17. Any exhibit listed on any party's exhibit list.

Respectfully submitted,

KIGHTLINGER & GRAY, LLP

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CERTIFICATE OF SERVICE

I hereby certify that on the **27th day of October, 2020**, a copy of the foregoing Preliminary Witness and Exhibit List was filed electronically. Notice of this filing will be sent to the following parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

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